

SBCivil Writ Petition No.1038/2003

Khama Devi
VS.
State of Rajasthan & Ors.

Date of Order :: 11th September, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. P.S.Bhati, for the petitioner.
Mr. B.L.Bhati, Dy.Govt.Advocate.

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By this petition for writ a direction is sought by the petitioner to provide her employment on compassionate grounds being widow of a deceased government servant.

It is contended by the petitioner that her husband died on 30.8.1992 while in service but no appointment was given to her on compassionate grounds despite application. It is also stated by the petitioner that she made numerous representations to the respondents but of no consequence.

A reply to the writ petition has been filed on behalf of the respondents stating therein that the petitioner never applied for appointment on compassionate grounds. The respondents also denied the fact about submission of representation by the petitioner.

Heard counsel for the parties.

The counsel for the petitioner utterly failed to show any material on record on basis of that an assumption can be made that the petitioner applied for appointment on compassionate grounds. The respondents in quite unambiguous terms stated in their reply that the petitioner never submitted any application for appointment on compassionate grounds and also not submitted any representation as stated in petition for writ. The facts stated in reply to the writ petition have not been refuted by the petitioner.

In view of the fact that the petitioner has not applied for appointment on compassionate grounds, there was no occasion for the respondents to employ her. It is pertinent to note that the respondents have already released all pensionary and retiral benefits in favour of the petitioner much back in the year 1993.

In view of whatever stated above, the writ petition stands dismissed.

(GOVIND MATHUR),J.

kkm/ps.